

THE  
**Publishers' Weekly**  
THE AMERICAN  
**BOOK TRADE JOURNAL**

WITH WHICH IS INCORPORATED

**The American Literary Gazette and Publishers' Circular.**

[ESTABLISHED 1852.]

PUBLICATION OFFICE, 298 BROADWAY, NEW YORK.

Entered at the Post Office at New York, N.Y., as second-class matter.

VOL. LXVIII., No. 3.

NEW YORK, July 15, 1905.

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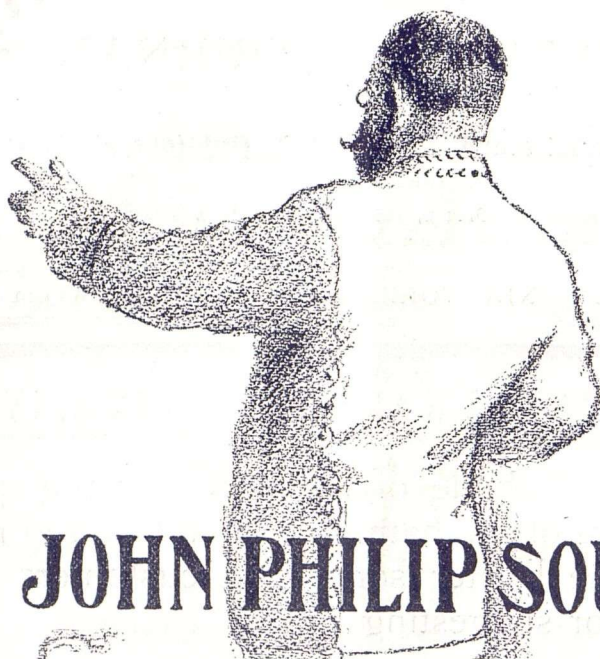
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## NOTES IN SEASON.

McCLURE, PHILLIPS & Co. are planning the publication in book form of a selection from among the short stories which O. Henry has been contributing weekly to the New York Sunday World. "Mr. Henry" is planning, moreover, a rest this summer, during which to get down on paper a novel which he and his publishers have long had in mind.

DODD, MEAD & Co. are preparing for early issue "The Declaration of Independence: Its History," by J. H. Hazleton. The book begins with 1774, following with the first steps

taken by the colonies, Jefferson's share in the drafting of the Declaration, the help of John Adams, the position of Hancock, and an account of how, when and where each member signed the document. There is also a description of the effect of the Declaration on this country and England. The book will be fully illustrated and will be issued in two styles—in one volume for the trade and in an *édition de luxe* in two volumes.

G. P. PUTNAM'S SONS have in press a volume entitled "Romance of French Abbeys," by Elizabeth W. Champney. The book, which is the fruit of a sojourn last summer in France, deals principally with extracts put into modern form from the chronicles of the old monastic establishments. Among them will be "The Golden Mystery," an episode in the history of the Abbey of Vezelay; "The Vision of Saint Bernard," a legend of Clairvaux; "The Flageolet of Saint Bruno," a legend of Le Grand Chartreuse; "A Crown of Thorns," an incident in the boyhood of St. Louis; "A Fugitive Abbot," a romance of the Abbey of Saint Wandrille; "The Wolf of St. Francis," from the chronicles of the Abbey of Mont Majori. The book will be handsomely illustrated with two colored prints, nine photogravures and fifty half-tone pictures.

JOHN MURPHY COMPANY have just issued a new book entitled "Wandewana's Prophecy and Fragments in verse," a collection of poems by Eliza L. M. Mulcahy. They have in press new editions in the *Irving Series* of Botany, Astronomy and Chemistry, rewritten and revised by professors in St. John's University, Collegeville, Minn. They call the attention of buyers to their extensive line of Catholic prayer books and Bibles, comprising books of the latest text, and their importation of bindings for this season embraces the newest leathers and the best designs of the leading European binders. For variety and style their books have been long and favorably known to the Catholic public, and to maintain their high standard the greatest care is devoted to the selection of the material entering their structure, paper, type, design and workmanship all being strictly first-class.

A. S. BARNES & Co. will publish about the third week in August "Minerva's Manœuvres," Charles Battell Loomis's first novel, which is "the cheeful tale of a 'return to nature,'" in which the author gently satirizes the "nature study" craze while proving his own devotion to nature itself. The book will be illustrated by F. R. Conger. They will publish early in the fall "Lodgings in Town," by Arthur Henry, which will complete the trilogy of which "An Island Cabin" and "The House in the Woods" have been part. Like the first two books this is an intimate, unexaggerated account of the experiences which the author passed through while seeking for an ideal form of existence in New York City. Another book to be published soon is Captain Ralph Bonehill's new story for boys, entitled "The Winning Run, or, the Base Ball Boys of Lakeport," the second volume in his *Outdoor Series*, of which the first volume, "An Island Camp," appeared last year.



## WEEKLY RECORD OF NEW PUBLICATIONS.

**The prices of net books published under the rules of the American Publishers' Association are preceded in this list by a double asterisk \*\*, and the word net follows the price. The prices of fiction (not net) published under the rules are preceded by a dagger †. The prices of net books not covered by the rules, whether published by members of the American Publishers' Association or not, are preceded by a single asterisk, and the word net follows the price.**

*The abbreviations are usually self-explanatory. c. after the date indicates that the book is copyrighted; if the copyright date differs from the imprint date, the year of copyright is added. Books of foreign origin of which the edition (annotated, illustrated, etc.) is entered as copyright, are marked c. ed.; translations, c. tr.; n. p., in place of price, indicates that the publisher makes no price, either net or retail, and quotes prices to the trade only upon application.*

*A colon after initial designates the most usual given name, as: A: Augustus; B: Benjamin; C: Charles; D: David; E: Edward; F: Frederic; G: George; H: Henry; I: Isaac; J: John; L: Louis; N: Nicholas; P: Peter; R: Richard; S: Samuel; T: Thomas; W: William.*

*Sizes are designated as follows: F. (folio: over 30 centimeters high); Q. (4to: under 30 cm.); O. (8vo: 25 cm.); D. (2mo: 20 cm.); S. (16mo: 17½ cm.); T. (24mo: 15 cm.); Tt. (32mo: 12½ cm.); Fe. 48mo: 10 cm.). Sq., obl., man., designate square, oblong, narrow books of these heights.*

**All the year round:** a nature reader. In 4 pts. pt. 1-3, by Frances L. Strong; pt. 4, by Gertrude A. Stoker; pt. 4, by M. A. L. Lane and Margaret Lane. Bost., Ginn, [1905.] c. il. 16°, ea., 35 c.

*Centenets:* pt. 1. Autumn; pt. 2. Winter; pt. 3. Spring; pt. 4. Summer.

**American Jersey Cattle Club.** The Jersey herd in the dairy cow demonstration, Louisiana Purchase Exposition, St. Louis, Mo., June 16 to October 13, 1904; portraits and records. N. Y., American Jersey Cattle Club, 1905. c. 103 p. il. f°, pap. Free on application.

**American state reports; cont.** the cases of general value and authority subsequent to those contained in the "Am. decisions" and the "Am. reports," decided in the courts of last resort of the several states; sel. rep., and annot. by A. C. Freeman. v. 102. San Francisco, Bancroft-Whitney Co., 1905. c. 1121 p. O. shp., \*\$4 net.

**American street railway investments;** published annually by the *Street Railway Journal* for the use of bankers, brokers, capitalists, investors and street railway companies. 12th annual, 1905. N. Y., McGraw Publishing Co., 1905. c. 34+415+55 p. f°, cl., \$5.

**Annual register:** a review of public events at home and abroad, for 1904. New ser. N. Y., Longmans, Green & Co., 1905. 12+182 p. O. cl., \*\$6 net.

**Apple (The)** of discord; or, temporal power in the Catholic church, by a Roman Catholic. Buffalo, N. Y., Apple of Discord Co., 1905. 12°, cl., \$3.

The anonymous Roman Catholic author claims that if the church is wholly divested of temporal power she can gather most of the dissenting sects once more under her spiritual control.

**Arblay, Mme. Frances d', [Fanny Burney.]** Evelina: the history of a young lady's entrance into the world. N. Y., A. L. Burt Co., 1905. 370 p. 12°, (Home lib.) cl., †\$1.

**Bain, F. W., (tr.)** A digit of the moon, and other love stories from the Hindoo; tr. from original manuscripts by F. W. Bain. N. Y., Putnam, 1905. 421 p. il. D. cl., †\$1.50.

Comprises four stories, "A digit of the moon," (a fragment containing the sixteenth part of an Indian story), "A heifer of the dawn," "The descent of the sun," and "In the great God's hair."

**Barbara, (pseud.)** At the sign of the fox: a romance. N. Y., Macmillan, 1905. 5+372 p. il. D. cl., †\$1.50.

An unsensational story of probable and possible

incidents and of real people, permeated with the same love of nature and of dumb animals that characterized the "People of the whirlpool" and "The garden of a commuter's wife," by the same author. A New York family living in luxury, are reduced to comparative poverty by the failure of the father. The shock of his losses gives him a paralytic stroke, and the care of the family devolves practically upon the eldest daughter. She opens a tea garden in a Boston suburb, and has various experiences, amusing and otherwise.

**Barber, T: Walter.** Engineers' sketch book on mechanical movements, devices, appliances, contrivances, and details; classified and arranged for reference for the use of engineers, mechanical draughtsmen, managers, mechanics, inventors, patent agents and all engaged in the mechanical arts. N. Y., D. Van Nostrand Co., 1905. 243 p. il. 8°, cl., \$3.

**Baring-Gould, Sabine.** Eve. N. Y., A. L. Burt Co., 1905. 362 p. 12°, (Cornell ser.) cl., †75 c.

**Bashore, Harvey B.** The sanitation of a country house. N. Y., J: Wiley & Sons, 1905. 7+102 p. il. 12°, cl., \$1.

**Benjamin, C: H.** Notes on heat and steam. 3d ed. Cleveland, O., C: H. Holmes, 1905. 6+93 p. S. cl., \$1.75.

Much new matter is added to this edition by the Professor of Mechanical Engineering in Case School of Applied Science. The chapter on fuels is more complete and the heaviest additions are in the chapters on gas engines and refrigerating machines.

**Benning, Mrs. Mary Howe, ["Howe Benning," pseud.]** The Benhurst Club. N. Y., A. L. Burt Co., 1905. c. 318 p. 12°, (Wellesley ser.) cl., †75 c.

**Benning, Mrs. Mary Howe, ["Howe Benning," pseud.]** Miss Charity's house. N. Y., A. L. Burt Co., 1905. 352 p. 12°, (Wellesley ser.) cl., †75 c.

**Benson, Arthur Christopher.** Peace, and other poems. N. Y., J: Lane Co., 1905. 122 p. 16°, cl., \*\$1.50 net.

**Binyon, Lawrence.** Dreams come true. N. Y., J: Lane Co., 1905. 28 p. 12°, (Eragony Press ser.) ed. limited, cl., \*\$10 net.

**Booth, E. R.** History of osteopathy and twentieth century medical practice. Cin., E. R. Booth, 1905. about 400 p. 16°, cl., \$3.

**Boothby, Guy.** A bid for fortune. N. Y., A. L. Burt Co., 1905. c. 301 p. 12°, (Cornell ser.) cl., †75 c.

**Boothby, Guy.** Dr. Nikola. N. Y., A. L. Burt Co., 1905. c. 311 p. 12°, (Cornell ser.) cl., †75 c.



- Boothby, Guy.** Dr. Nikola's experiment. N. Y., A. L. Burt Co., 1905. c. 308 p. 12°, (Cornell ser.) cl., \$75 c.
- Bridges, Rob.**, ["Droch," *pseud.*] Demeter: a mask; lyrics and incidental music by W. H. Hadow. N. Y., Oxford University Press, (Amer. Branch,) 1905. 20 p. sq. O. pap., 85 c.; also sixteenmo ed., without music, pap., 35 c.
- Burbidge, F. W.** The book of the scented garden. N. Y., J. Lane Co., 1905. 11+96 p. 12°, (Handbooks of practical gardening; ed. by Harry Roberts.) cl., \$1 net.
- Calkins, Rev. Harvey Reeves.** The mind of Methodism: a brief. Cin., Jennings & Graham, 1905. c. 2-40 p. S. cl., \$25 c. net.
- Church (The) of Christ**, by A layman. N. Y., Funk & Wagnalls Co., 1905. c. 2+336 p. O. cl., \$1 net.  
The author presents Christianity as an original or new religion adapted to all mankind. He points out that it is new in promising forgiveness of sin and eternal life, in teaching the fatherhood of God, in being positive, and original in that it is missionary. All cases of pardon in the New Testament are reviewed. The important province of miracles, prayer, and pardon in religion is fully discussed. The theory is advanced that the Church of Christ is a complete organization, its officers being divinely appointed. It consequently excludes all other churches, whether ancient or modern, as not sanctioned by inspiration.
- Clarke, J. Michell, M.D.** Hysteria and neurasthenia. N. Y., J. Lane Co., 1905. 10+298+4 p. 12°, (Practitioners' handbooks; ed. by Harry Roberts.) cl., \$1.50 net.
- Clement of Alexandria.** Extracts from the writings of Clement of Alexandria. N. Y., J. Lane Co., 1905. 24°, cl., \$75 c. net; leath., \$1 net.
- Clements, F. E.** Research methods in ecology. Lincoln, Neb., University Publishing Co., 1905. 350 p. il. 8°, cl., \$3.
- Clifford, Ethel.** Love's journey: [poems.] N. Y., J. Lane Co., 1905. 12°, cl., \$1.50 net.
- Cody, Sherwin.** The art of writing and speaking the English language; dictionary of errors. Chic., Old Greek Press, [A. C. McClurg & Co.,] [1905.] c. 3-136 p. T. cl., 75 c.
- Cody, Sherwin.** The art of writing and speaking the English language. Story-writing and journalism. [New issue.] Rev. ed. Chic., Old Greek Press, [A. C. McClurg & Co.,] [1905.] c. 3-126 p. T. cl., 75 c.
- Collins, John.** The book of life. Saginaw, Mich., published by the author, J. Collins, 1905. 5-199 p. diagrs., S. pap., 50 c.  
The author says: "Natural philosophy and the figurative language of the Bible being in perfect harmony, we will present them jointly as our authority in this book, and so endeavor to show the true philosophic meaning of the different features of the figures set forth in the garden parable, in the second, third and fourth chapters of Genesis; so making manifest what the garden, the trees, the serpent, the woman, and the Lord God represent; why that act of the first Adam was unavoidable, and how its effects will be obviated in the human race, so that their lost birthright will be restored to them."
- Connecticut Historical Society, Hartford.** Rolls of Connecticut men in the French and Indian war, 1755-1762. Hartford, Ct., Connecticut Historical Society, 1903-05. 2 v. 8°, (Collections of the Connecticut Historical Society.) cl., ea., \$3.
- Corning, Mary Spring.** Miss Elliot's girls: the doings of the Patchwork Quilt Society. N. Y., A. L. Burt Co., 1905. 280 p. 12°, (Little women ser.) cl., \$75 c.
- Cross, Mrs. Ada Cambridge Cross.** A humble enterprise. N. Y., A. L. Burt Co., 1905. c. 268 p. 12°, (Cornell lib.) cl., \$75 c.
- Cross, Mrs. Ada Cambridge.** My guardian. N. Y., A. L. Burt Co., 1905. 274 p. 12°, (Cornell ser.) cl., \$75 c.
- Cummings, Elizabeth.** A happy discipline. N. Y., A. L. Burt Co., 1905. 258 p. 12°, (Wellesley ser.) cl., \$75 c.
- Cuthell, E. H.** My garden in the city of gardens: a memory. N. Y., J. Lane Co., 1905. il. 12°, cl., \$1.50 net.
- De Long, Sidney Randolph.** The history of Arizona from the earliest times known to the people of Europe to 1903; written under the auspices of the Pioneer Historical Society of Arizona. San Francisco, Whitaker & Ray Co., 1905. 199 p. 8°, cl., \$1 net.
- Dilke, Lady Emilia Francis Strong.** The book of the spiritual life; with a memoir of the author, by Sir C. W. Dilke. N. Y., Dutton, 1905. 275 p. il. pors. 8°, cl., \$3 net.
- Disraeli, B.**, [Earl of Beaconsfield.] Constanini Fleming: a psychological romance; introd. by the Earl of Iddesleigh. N. Y., J. Lane Co., 1905. 11+472 p. 24°, (New pocket lib.) cl., \$75 c. net; leath., \$1 net.
- Disraeli, B.**, [Earl of Beaconsfield.] Venetia; with an introd. by the Earl of Iddesleigh. N. Y., J. Lane Co., 1905. 11+649 p. 24°, (New pocket lib.) cl., \$75 c. net; leath., \$1 net.
- Elliott, Byron K., and Elliott, W. F.** A treatise on the law of evidence: being a consideration of the nature and general principles of evidence, the instruments of evidence, and the rules governing the production, delivery and use of evidence, together with incidental matters of practice, [etc.] In 4 v. v. 3, Civil trial evidence, particular actions, issues and parties. Indianapolis, Bobbs-Merrill Co., 1905. c. 170+1317 p. O. shp., per v., \$6.
- Equestrian statue of Major General Joseph Hooker**, erected and dedicated by the commonwealth of Massachusetts; printed by order of the governor and council. Bost., Wright & Potter Printing Co., [1905.] 202 p. il. pors. O. cl., n. p.  
Record of the proceedings incident to the erection, unveiling and dedication of the equestrian statue of Major-General Joseph Hooker, of the Union Army, placed in the State House grounds in Boston and dedicated June 25, 1903.
- Fiebigger, Gustave Joseph.** Civil engineering: a textbook for a short course. N. Y., J. Wiley & Sons, 1905. 13+573 p. il. 8°, cl., \$5 net.



- Flecker, W. H., *comp.* Morning prayer for schools; arr. by W. H. Flecker. 3d ed. N. Y., Longmans, Green & Co., 1905. 3-104 p. T. cl., \*50 c. net.
- Folger, Allen. Twenty-five years as an evangelist. Bost., Ja. H. Earle & Co., 1905. 339 p. il. por. 12°, cl., \$1.25.
- Forbes, J. T. Socrates. N. Y., Scribner, 1905. 10+282 p. D. (World's epoch-makers; ed. by Oliphant Smeaton.) cl., \$1.25.
- Foster, Edith Francis. Mary 'n' Mary; with about one hundred il. by the author. Bost., Dana Estes & Co., [1905.] c. 209 p. 12°, cl., †\$1.25.
- Garrison, Ja. Harney. The Holy Spirit: his personality, mission and modes of activity. St. Louis, Mo., Christian Publishing Co., 1905. 211 p. 12°, O. cl., \$1.
- Georgia. *Supreme ct.* Reports of cases at Savannah and Macon terms, 1857. v. 21; B. Y. Marten, rep. Reprint ed., annot., by Howard Van Epps. Atlanta, Franklin Print, and Pub. Co., 1905. c. 14+679 p. O. shp., \$3.
- Gissing, G: Rob. In the year of jubilee. N. Y., A. L. Burt Co., 1905. c. 404 p. 12°, (Cornell lib.) cl., †75 c.
- Gissing, G: Rob. Will Warburton: a romance of real life. N. Y., Dutton, 1905. 333 p. 12°, cl., †\$1.50.  
A posthumous novel.
- Glasfurd, A. I. R. Rifle and romance in the Indian jungle: being the record of thirteen years of jungle life; with il. by the author and reproductions from photographs. N. Y., J: Lane Co., 1905. 11+404 p. 8°, cl., \*\$5 net.
- Goebel, K. Organography of plants, especially of the archegoniatae and spermatophyta; authorized English ed. by I: Bayley Balfour. In 2 v. v. 2, Special organography; with 417 woodcuts. N. Y., Oxford University Press, (Amer. Branch.) 1905. 24+707 p. Q. cl., \$7.
- Gold, Theodore Sedgwick, *comp.* Historical records of the town of Cornwall, Litchfield County, Connecticut; collected and arranged by Theodore S. Gold. 2d ed. [West Cornwall, Ct., Theodore S. Gold,] 1904. 5-489 p. il. por. 8°, cl., \$2.50.
- Gonne, C. M. Hints on horses: how to judge them, buy them, ride them, drive them, and depict them. N. Y., Dutton, 1905. 90 p. il. 8°, cl., \*\$2 net.
- Goodsall, D. H., and Miles, W. Ernest. Diseases of the anus and rectum. In 2 pts. pt. 2. N. Y., Longmans, Green & Co., 1905. 13+271+10 p. il. O. cl., \*\$2 net.
- Gosse, P. H. Romance of natural history. N. Y., A. L. Burt Co., 1905. c. '02. 348 p. 12°, (Home lib.) cl., †\$1.
- Guldner, Hugo. The model of a motor car; with sketch and description; ed. by Theo. E. Schultz. N. Y., T: Whittaker, 1905. 20 p. il. obl. 12°, cl., \*\$1.50 net.
- Gunsaulus, Frank Wakeley, D.D. Paths to power. N. Y. and Chic., Revell, 1905. 362 p. 12°, cl., \*\$1.25 net.
- Hancock, Harrie Irving, and Higashi, Katsukuma. The complete Kano Jiu-Jitsu (Jiudo): the official Jiu-Jitsu of the Japanese government; with the additions by Hoshino and Tsutsumi; and chapters on the serious and fatal blows, and on Kuatsu, the Japanese science of the restoration of life; il. by over 400 pls. from life and 4 charts. N. Y., Putnam, 1905. c. 15+526 p. por. O. cl., \*\*\$4.50 net.  
This is a far more ambitious and comprehensive attempt at a descriptive interpretation of the Japanese art of jiu-jitsu, or jiudo, than was undertaken in the writers' earlier volumes on the subject. It presents in its entirety the Kano system of jiu-jitsu, devised by Professor Jiguro Kano, with the additions thereto that have been made by those famous jiu-jitsians, Hoshino and Tsutsumi. It is the system officially adopted by the Japanese government. It begins with the simplest of combat tricks and progresses by degrees to tricks that may be made, in stress of dire necessity, most disastrous and even deadly.
- Harris, Linnie S. Bertha's summer boarders. N. Y., A. L. Burt Co., 1905. c. 312 p. 12°, (Wellesley ser.) cl., †75 c.
- Hawley, T. W. Petrol motors, simply explained; practical handbook on the construction and working. N. Y., Spon & Chamberlain, 1905. 99 p. 12°, bds., 50 c.
- Hector, Mrs. Annie F., ["Mrs. Alexander," *pseud.*] A winning hazard. N. Y., A. L. Burt Co., 1905. c. 270 p. 12°, (Cornell ser.) cl., †75 c.
- Henty, G: Alfred, Tracy L., and others. Hazard and heroism: stories told by G: A. Henty, L: Tracy and others. N. Y., Dutton, 1905. 403 p. il. 12°, cl., †\$1.50.
- Hill, Constance. Jane Austen: her homes and her friends; il. by Ellen G. Hill and reproductions from old portraits, etc. N. Y., J: Lane Co., 1905. 14+279 p. 12°, (Crown lib.) cl., \*\$1.50 net.
- Hill, D: Jayne. A history of diplomacy in the international development of Europe. v. 1, The struggle for universal empire; with tables. N. Y., Longmans, Green & Co., 1905. 23+481 p. maps, O. cl., \*\$5 net.  
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# The Publishers' Weekly.

FOUNDED BY F. LEYPOLDT.

JULY 15, 1905.

The editor does not hold himself responsible for the views expressed in contributed articles or communications.

All matter for advertising pages should reach this office not later than Wednesday noon, to insure insertion in the same week's issue.

Publishers are requested to furnish title page proofs and advance information of books forthcoming, both for entry in the lists and for descriptive mention. An early copy of each book published should be forwarded, as it is of the utmost importance that the entries of books be made as promptly and as perfectly as possible. In many cases booksellers depend on the PUBLISHERS' WEEKLY solely for their information. The Record of New Publications of the PUBLISHERS' WEEKLY is the material of the "American Catalogue" and so forms the basis of trade bibliography in the United States.

*"I hold every man a debtor to his profession, from the which, as men do of course seek to receive countenance and profit, so ought they of duty to endeavor themselves by way of amends to be a help and an ornament thereunto."*—LORD BACON.

## THE DECISIONS OF JUDGE RAY IN THE MACY CASES.

THE two cases brought respectively by the Bobbs-Merrill Co. and by Charles Scribner's Sons against the Macy concern have been decided by Judge Ray, sitting by assignment in the Federal Circuit Court for the Southern District of New York. In both cases the relief asked for by the complainants is refused. The cases are practically identical, with the exception that in the Bobbs-Merrill suit the special copyright notice printed by those publishers in the copies of "The Castaway" figures in the case, while in the Scribner suit reliance was had on the ordinary copyright notice. We give elsewhere in full the decision in the Scribner case, and the distinctive portion of the Bobbs-Merrill case.

The contention of both complainants was that under the monopolistic protection granted by the copyright law publishers had the right to provide conditions as to the sale of the books copyrighted under agreements with notice to dealers. The pith of Judge Ray's decisions is that while such an agreement is possible as a matter of contract, it is not necessarily involved in notices to the trade, and in that respect cannot be maintained as a part of copyright. The decisions do not go very fully into the cases, and both are likely to be appealed to the higher branches of the Federal Courts for ultimate decision. What is at present indicated by Judge Ray's dicta is the legal dis-

inction drawn, as to other goods as well as regarding books, between an actual title passed to a purchaser and a license which retains ownership to some extent in the hands of the original seller. It is possible that should these decisions be upheld in the higher courts, they may lead to a modification in the method of selling books through the regular trade, but the decisions scarcely indicate more than this.

These decisions, it should be noted, are not in the main suits known as the Macy cases, but in the more recent and subsidiary suits brought by these two individual houses—the main cases being those brought by the Macy concern itself to declare the illegality of the organization and the methods of the American Publishers' Association. The recent incidental decisions as to demurrers and the like, as we have already pointed out, have not strengthened the fundamental Macy case, and there is as yet no good reason to believe that the American Publishers' Association will not be ultimately successful in upholding the present plans of reform.

IN *Printers' Ink* for July 5, 1905, Mr. Charles L. Benjamin prints an interview by himself with Third Assistant Postmaster-General Madden, which is accompanied by an excellent portrait of that official. The interview is an interesting statement of Mr. Madden's views, and displays on his part an evident sincerity of aim coupled with more or less myopic limitation in seeing "the other side." For instance, though much is said of the triumphs of the Department in the courts, almost nothing is said about its checks or defeats, or about the mistakes, particularly in rulings a few years since as to inserts and supplements, which the Department was obliged to modify without court compulsion by the evident absurdity of the rulings. Mr. Madden states, probably with sincerity, that he means to treat all periodicals with equal fairness; but, after emphasizing again the recent orders as to supplements, he "throws up his hands" by saying that the ruling "will not affect what you describe as the 'Sunday magazine.'" Mr. Madden is not yet prepared to disclose his own plans of postal reform, comparing himself to Togo, who "did not disclose his plans until the opportune moment had arrived." The interview shows both the strength and the weakness of Mr. Madden's administration of the Department, and should be read by all who are interested in accomplishing real postal reform and desire to do justice to a much-criticized official.



THE decision that musical composers have no rights which the manufacturers of automatic musical instruments or mechanical records are bound to respect, whether or not supported in the higher courts, throws important light on the necessity for copyright revision. Of course, except for the spiked barrel of the hand organ and music box, these musical records did not exist at the time the copyright law was framed and could not be directly included within its provisions. The courts have, nevertheless, often stretched a general principle to cover applications which were not possible at the time of the original provision, and this the higher courts may do in the present case; but in any event, here is new proof that the copyright law, in terms, is sadly behind the times.

#### DECISION IN THE SUITS OF SCRIBNER'S V.S. MACY.

FOLLOWING is the decision in full rendered by Judge Ray, of the United States Circuit Court in the suit of Charles Scribner's Sons vs. R. H. Macy & Co.:

CIRCUIT COURT OF THE UNITED STATES, SOUTHERN DISTRICT OF NEW YORK.

Charles Scribner and Arthur H. Scribner, trading as Charles Scribner's Sons,

In Equity,  
No. 8583.

v.  
Isidor Straus and Nathan Straus, trading as R. H. Macy and Company.

Charles Scribner's Sons, Incorporated,

In Equity,  
No. 8936.

v.  
Isidor Straus and Nathan Straus, trading as R. H. Macy and Company.

Suits in equity to restrain defendants from infringing complainants' copyrights for books by selling copyrighted books at retail, without a license from complainants, at a lower price than fixed and not maintaining retail prices as provided by the regulations of the American Publishers' Association. Also to restrain defendants from contributory infringement of such copyrights by inducing wholesale dealers and jobbers in such books to violate their agreements with complainants as to the sale of copyright books.

The defendants deny infringement in any sense. Deny that complainants have proved a cause of action. Allege that complainants parted with title to all books the defendants have purchased and sold and that being their property they had the right to sell them at such price as they saw fit to fix.

Stephen H. Olin, and

Olin, Clark & Phelps,  
for complainants.

Spiegelberg & Wise, with

John G. Carlisle and Edmond E. Wise,  
of counsel,

for defendants.

RAY, District Judge.

In the first action, No. 8583, the alleged limitation on the right to sell books at retail at less than a fixed price expired before the final hearing, hence no injunction, only an accounting could be granted in that case. The parties to that suit all reside in the State of New York. There is no diversity of citizenship.

In the second suit, No. 8936, the limited time had not expired and, as defendants had incorporated under the laws of New Jersey before bringing the action, there exists in such action diversity of citizenship.

If there is no infringement of a copyright shown in such first action, No. 8583, it must be dismissed. In the second action if defendants are violating complainants' rights and a cause of action is shown and the amount involved is sufficient the action may be sustained even if infringement of a copyright is not shown. In this action the complainants not only allege infringement of their copyrights, but allege that they have valid contracts for the sale of their copyrighted books with certain parties which are or were being carried out by them and that defendants wrongfully, etc., have induced and are inducing such parties to violate such contracts by false representations and other acts to the great injury of the complainants' business. They set forth certain facts tending to show grounds for equitable relief and an injunction.

The complainant is the owner of a large number of copyrights and is a publisher. It publishes and puts on the market its copyrighted books, but asserts that it puts them on the market under certain limitations and restrictions which attach to the books and the right to sell in the hands of all persons having notice of such restriction. The complainants are members of an association known as the American Publishers' Association. This association has made certain rules as to the purchase and sale by publishers and dealers of copyrighted books. These rules are attached to the complaint and set out in full in the opinion of this Court in the case of The Bobbs-Merrill Company against these same defendants, just decided but not yet reported. In that case, while the facts were somewhat different, the questions of law involved here were extensively discussed.

Paragraph three of those rules provides as follows:

"That the Members of the Association agree that such net copyrighted books, and all others of their books, shall be sold by them to those booksellers only who will maintain the retail price of such net copyrighted books for one year, and to those publishers and jobbers only who will sell their books further to no one known to them to cut such net prices, or whose name has been given to them by the Association as one who cuts such prices, or who fails to abide by such fair and reasonable rules and regulations as may be established by local associations as hereinafter provided."

The complainants in their attempt to live up to these rules of this association, and to enforce them against others, and these defendants, and to maintain the fixed retail price of books sold in the retail trade, and to



exclude from the business of selling their publications or the publications of any other publisher of books (copyrighted publications), those who will not observe such rules, have fixed the retail price of their copyrighted book and adopted the following method of selling, viz: for stock orders a salesman in most instances goes to a dealer and takes his order, or the dealer orders by mail, or, if a New York City dealer is purchasing he sends a messenger. As to notifying dealers, purchasers, of the rules as to net prices and discount on fiction, fixed by the rules of such association, the complainants print a notice on their catalogues and on their bill heads, reading as follows: on catalogues—

"Charles Scribner's Sons' Catalogue of Publications.  
All Books sent Postpaid except where Postage is Indicated.

Note to the Trade:

Copyrighted Net books published after May 1st, 1901, and copyrighted fiction published after February 1st, 1902, are sold on condition that prices be maintained, as provided by the Regulations of The American Publishers' Association. On such books the month of publication is given except where the book is announced as In Press.

Books starred are mostly Educational and are subject to a slightly different discount to the Trade than other Net books."

On bill heads:

"All claims for Allowance must be made within five days after receipt of Goods—Not Responsible for Books ordered sent by Mail, or sent out to be Packed.

153-157 Fifth Avenue,  
Between 21st and 22d Streets.  
New York, .....190

M.....190

Folio.....

Bought of Charles Scribner's Sons,  
Publishers, Importers and Booksellers.

Terms:—Net Cash. Payable with Exchange on New York.

Sent per.....

Copyrighted Net books published after May 1, 1901, and copyrighted fiction published after February 1, 1902, are sold on condition that prices be maintained as provided by the regulations of the American Publishers' Association."

In complainants' evidence we find this on this subject: Q. "Is any other method taken to bring the rules of the association to the notice of purchasers in the wholesale department?" A. "Not by Charles Scribner's Sons." As to new customers the witness says: Q. "When a new firm comes to deal with Charles Scribner's Sons that is unknown to you, what do you do?" A. "We get what information we can as to their standing and whether or not they will be willing to maintain the rules of the association by referring the matter to the association for investigation, or sometimes by sending them this blank which has

been presented." Q. "Can you say whether or not these rules are in one way or another, brought to the attention of every purchaser from the wholesale department?" A. "No, sir." Q. "They are not brought to their notice?" A. "Except in the way I have described, by the bill heads and the catalogues and in case of a new purchaser, by correspondence and sending that notice in some cases." Q. "Have any sales been made by Charles Scribner's Sons since the adoption of those rules in their wholesale department except subject to those rules?" A. "No, sir." Q. "They are not brought to their notice?" A. "Except in the way I have described, by the bill heads and the catalogues and in case of a new purchaser, by correspondence and sending that notice in some cases."

It is conceded that defendants knew of the rules and of the custom of the complainants. Defendants did not purchase any books of complainants. They had a purchasing agent who purchased them where he could get them, paying therefor in cash.

In the Bobbs-Merrill case, just decided and above referred to, this Court has held, following the Circuit Court of Appeals in the Second Circuit, in *Harrison v. Maynard, Merrill & Co.*, 26 U. S. App. 99; 61 Fed. Rep. 689, that so long as the publisher of a copyrighted book (such publisher owning the copyright) retains the title to the copies which he has the exclusive right to vend by virtue of the copyright, he can impose restrictions upon the manner in which and the persons to whom the copies can be sold. If agents or licensees, intrusted with the possession of such books, not having title, violate their instructions and sell to a person who has knowledge of the restricted power, such sale of such copyrighted book is an infringement and may be restrained. This right results from the fact that the owner of the copyright and the copyrighted book has not parted with the title to the book or to the copyright. The right to restrain the sale is gone, however, when the owner of the copyright and of the copy or copies in question parts with his title to such copy or copies and confers an absolute title on the purchaser, even if such sale be accompanied with an agreement for a restricted use, or for a sale at a fixed price.

We come then, in these cases, to the question whether the complainants in either case retained title to the books, or any of them, that passed to the possession of the defendants and which they have been and are engaged in selling. It seems clear that they did not. They conferred no conditional or defeasible title, but an absolute title. Some books the defendants purchased direct of the complainants at retail and paid the full retail price. They sold same at retail at a loss. This they had the right to do. They were the absolute owners. The others were purchased of dealers who had purchased of the complainants and paid the full price demanded. There was no notice on each book and it does not appear that these dealers had seen the catalogues, or that they had a bill of sale containing the notice. But, however this may be, the notice does not retain the title, or



restrict or limit the title conveyed. If so the complainants could have replevied the books when they found they were being sold in violation of instructions given their licensees intrusted with the books. It may be, and may not be, that the dealers from whom the defendants took title knew of the conditions of the notice when they purchased of the complainants. If they did they impliedly agreed that in selling the books which they then purchased of complainants they would maintain prices. If so the relation was contractual and the remedy of complainants is for a breach of that contract if they can find the person or firm who violated it. The notice is not a license agreement, as in the *Neostyle* case, recently decided by this Court, and others there cited. (*Cortelyou et al. v. Charles Eneu Johnson Co.*) Reference is made to the opinion of this Court in the *Bobbs-Merrill* case for a full statement of the law. In this case the notice does not purport to restrict title, or create an agency, or establish a license agreement.

There is no evidence that will justify a finding that defendants have unlawfully or improperly induced any person to violate their contract, if any, with complainants.

The defendants are entitled to a decree dismissing the complaint with costs.

*EPITOME OF THE DECISION IN THE BOBBS-MERRILL CO.'S SUIT.*

THE decision in the *Bobbs-Merrill* case is much fuller than in that of the *Scribner* suit, but the same principle holds for both. It is in part as follows:

"From these facts, which are conceded, it appears that the original purpose of the combination and agreement of the association of publishers, including the complainant, was (1) to maintain the net retail price of all copyrighted books published by the members of such association, or any of them, at such price per book as might be fixed by the publisher of that book; and (2) to prevent the sale at retail of any one or more of such copyrighted books by any dealer in books at retail at a less price per copy than so fixed. Thereupon the persons, firms and corporations in the combination, including the complainant, formed a corporation under the name *American Publishers' Association*. This corporation included a large majority of all the publishers of all books, both copyrighted and uncopyrighted, in the United States. . . .

"The declared object and purpose of this combination," the decision further declares, "is (1) to fix the retail price of books; (2) to maintain such retail price; (3) to refuse to furnish or sell any books to any dealer in books who does not maintain such prices, that is, who sells a book at less than the fixed price; (4) to compel all publishers and dealers in books, in practical effect at least, to come into the combination and enforce and maintain these prices or be blacklisted and driven from the business; (5) to drive out of the business of general publishing and bookselling all who refuse or neglect to maintain these prices.

"The freedom of the owner of a book, any book (except those specially excepted), duly

purchased and paid for, to sell the same soiled or injured or read and no longer desired, was thus attempted to be destroyed. The right of a retail bookseller to sell to the purchaser of fifty books for his library at a less price than to the purchaser of one book must not be exercised under the pain and penalty of having his supply of books cut off and of being driven from the business and financially ruined."

In conclusion the decision states: "The defendants have not infringed and are not threatening to infringe complainants' copyright, nor have they violated any contract. The complainant is seeking to enforce against defendants an unlawful combination agreement to which such defendants are not parties and by which they have not consented to be bound in selling books of which they are the absolute owners. The same result on a similar state of facts as to the effect of such notice was reached by the court in *Bobbs-Merrill Co. v. Snellenburg*, 131 Fed. Rep. 530.

"The defendants are entitled to a decree dismissing the complaint with costs."

THE BOOKTRADE AT CHICAGO.

For a week or longer the representatives of the publishing houses have been gathering at the Palmer House to show their fall books. Upwards of forty houses are now making displays, and the retail trade is also well represented. We give below the names of the firms now in Chicago with the names of their representatives:

Altamus Co., Henry, represented by L. R. Matlock.  
 Bobbs-Merrill Co., represented by R. H. Sims.  
 Brentano's, represented by A. Caldwell.  
 Burt Co., A. L., represented by A. L. Burt.  
 Caldwell Co., H. M., represented by A. D. MacMullen.  
 Clarke, Co., C. M., represented by C. H. Higgins.  
 Collins Co., The William, represented by D. Risley.  
 Conkey Co., W. B., represented by J. Heineberg.  
 Crowell & Co., T. Y., represented by L. H. Crowell.  
 Cupples & Leon, represented by A. T. Leon.  
 DeWolfe, Fiske & Co., represented by A. T. Leon.  
 Dodd, Mead & Co., represented by F. C. Dodd.  
 Dodge Pub. Co., represented by J. C. Hill.  
 Doubleday, Page & Co., represented by E. B. Hackett.  
 Dutton & Co., E.\*P., represented by J. F. Dengler.  
 Estes, Dana, & Co., represented by C. A. Caldwell.  
 Federal Book Co., represented by W. W. Jones.  
 Grosset & Dunlap, represented by G. T. Dunlap.  
 Hurst & Co., represented by John H. May.  
 Jacobs & Co., G. W., represented by John T. Robinson.  
 Lane, John, represented by C. A. Canner.  
 Lippincott Co., J. B., represented by H. S. Ridings.



Little, Brown & Co., represented by George Sully.  
 Lothrop, Lee & Shepard, represented by L. W. Adams.  
 McKay, David, represented by David McKay.  
 McLaughlin Bros., represented by W. J. Kelley.  
 Nelson & Sons, T., represented by Charles A. Ray.  
 Page & Co., L. C., represented by F. T. J. Nunan.  
 Pott & Co., James, represented by E. F. Williams.  
 Rand, McNally & Co., represented by W. S. Siegel.  
 Reilly & Britton, represented by S. C. Britton.  
 Revell Co., F. H., represented by H. R. Drake.  
 Saalfeld Pub. Co., represented by A. J. Saalfeld and A. C. Saalfeld.  
 Stitt Pub. Co., represented by Jos. Scammell.  
 Stokes Co., F. A., represented by F. H. Newcombe.  
 Taylor Co., J. F., represented by F. H. Newcombe.  
 Thompson & Thomas, represented by C. E. Thomas.  
 Warne & Co., F., represented by P. C. Leadbeater.  
 Wessels Co., A., represented by Mr. Weill.  
 Winston & Co., J. C., represented by T. S. Meek and E. M. Leavens.

Laird & Lee are showing their line at their salesrooms, 263 Wabash Avenue, with E. J. Goldbery in attendance.

W. A. Wilde Company are making a display of their books at their branch store, 192 Michigan Avenue, in charge of their Western agent, W. J. Sanford.

#### FRAUD ORDER AGAINST PUBLISHERS.

THE Post Office Department at Washington, on July 11, issued a fraud order against the Koch Publishing Company, of 341 East Seventy-eighth Street, New York City. The firm, it is alleged, advertised for sale certain literature which it is said it represented in a misleading way. The firm has branch offices at 124 Java Street, Brooklyn, N. Y., and 357 East 124th Street, New York City.

#### A POPULAR VOTE ON FICTION.

THE contest of the readers of the New York *Globe* as to the most popular current fiction resulted in the following choice:

1. The Masquerader. K. C. Thurston. *Harper*.
2. The Marriage of William Ashe. Ward. *Harper*.
3. In the Bishop's Carriage. M. Michelson. *Bobbs-Merrill Co.*
4. Sandy. Rice. *Century Co.*
5. Rebecca of Sunnybrook Farm. Wiggin. *Houghton, Mifflin & Co.*
6. Beverly of Graustark. McCutcheon. *Dodd, Mead & Co.*
7. Nancy Stair. Lane. *Appleton*.
8. The Man on the Box. MacGrath. *Bobbs-Merrill Co.*
9. The Clansman. Dixon. *Doubleday, Page & Co.*

10. Pam. Baroness v. Hutten. *Dodd, Mead & Co.*
11. Rose o' the World. Castle. *Stokes*.
12. The Little Shepherd of Kingdom Come. Fox. *Scribner's*.

#### LECTURES ON HOW TO PRINT AND PUBLISH.

THE West Side Young Men's Christian Association, 318 West Fifty-seventh Street, New York, has arranged a course of lectures on how to print and publish. The course will begin on October 11, and will continue on Wednesday evenings thereafter until the close of the season. The tuition fee for the entire course will be \$25, which will include a limited membership in the association for one year.

The course will be divided into five parts—type composition, press work, illustrating and engraving, estimating and publishing, each part to be dealt with by competent hands. The following programme has been planned:

Printing—Opening Address, George French, Boston. Type Composition—Detail in Type Composition, Will Bradley, Concord, Mass.; The Idea as a Determining Factor in Laying Out a Job, Henry T. Bailey, editor *School Art Books*, North Scituate, Mass.; Composition as Related to Books, George French, Boston; Typesetting, a Possible Science, F. F. Helmer, Lockport, N. Y.; The Practical Side of Typography, Edmund G. Gress, New York; Proof Reading, F. Horace Teall, Springfield, Mass.; Typesetting by Machinery, Paul Nathan, New York. Press Work, W. J. Kelly, New York; Ink, James Ullman, New York; Paper, C. K. Urquhart, editor *Paper Trade Journal*, New York. Illustrating and Engraving—The Art and Purpose of Illustration, Herbert Johnson, New York, former artist in chief, *Kansas City Journal*; The Value of Illustration and Decoration as a Practical Aid to Printers, F. W. Vreeland, New York; Engraving, Max Levy, Philadelphia; Bookbinding, C. M. Smith, supt. bindery, Methodist Book Concern, New York. Estimating, I. H. Blanchard, New York; J. H. Ramaley, New York, and F. W. Heath, New York; The Making of a Book, J. Horace McFarland, Harrisburg, Pa. Publishing—What to Publish and How to Merchandise It, Frank Doubleday, Doubleday, Page & Co., New York; The Modern Magazine, E. J. Ridgway, publisher, *Everybody's Magazine*, New York; Advertising, Frank Presbrey, New York; The Relation of Advertiser to Printer and Publisher, Wolstan Dixey, Philadelphia; Trade Journalism, John Clyde Oswald, editor and publisher, *American Printer*, New York.

#### DISSENSIONS IN PAPER TRUST.

THE GENERAL PAPER COMPANY, of Milwaukee, Wis., an alleged trust, is threatened with disruption. One company, the Wolf River Paper and Fibre Company, of Shawano, Wis., whose contract for the sale of its product to the company has expired, has announced that it will not renew the contract, and that hereafter it will dispose of its own product. It is understood that other paper mill



owners have the same action in view, and the situation has been considered of sufficient importance for the calling of a special meeting of the executive committee of the company.

#### RECORD PRICES FOR CAXTON AND SHAKESPEARE.

THE enormous rise in the value of incunabula in recent years was illustrated at a sale at Sotheby's on July 6.

A copy of Caxton's "Book of Caton," printed in 1483, was sold to Mr. Quaritch for £1350, (\$6750.)

In 1686, according to the *New York Times*, a copy of this book which belonged to Dr. Bernard was sold for 3s. In 1823 G. Watson Taylor's copy sold for £30 19s. 6d.; the Inglis copy three years later brought £28 17s.; the Wilkes copy, with eight leaves wanting, and some mended, fetched £23 15s., and the Gardner example sold for £81 in 1854. In the last eighteen years only two copies have come under the hammer. In June, 1897, the Earl of Ashburnham's copy brought £295, and another example realized £360 at Sotheby's in February, 1899. The specimen sold on the 6th inst. was in perfect condition and in an almost contemporary ornamental stamped calf binding, probably executed at Oxford. It is perhaps the finest copy of the book in existence, while most of those previously sold were more or less imperfect, but even when this is taken into consideration the difference in the prices is sufficiently striking.

At Sotheby's on the same day the Caxton was sold an almost perfect copy of the first edition of Tyndale's "Pentateuch" was sold. It brought £940, and this volume was also acquired by Quaritch. In 1818 an imperfect example of this book realized £3 4s. at Saunders's salesroom; the Heber copy, wanting twelve leaves, produced £35 in 1834; this was afterward perfected by Mr. Grenville, except for three leaves which were in manuscript; but on obtaining a perfect copy Mr. Grenville parted with the Heber example, which at the Gardner sale, in July, 1854, brought £159. Bishop Daly's copy realized £155 at Sotheby's on June 26, 1858, but this, like the others, was not perfect. Of recent years only one noteworthy copy of this book has come under the hammer, and this was Lord Crawford's, which sold for £255 in June, 1887.

On July 12 there was sold at Sotheby's a perfect copy, consisting of forty-six leaves, of the fourth quarto edition of Shakespeare's "Tragedie of King Richard the Third," 1605. The price, \$8750, is higher than any sum previously paid at auction for a Shakespeare quarto.

It is believed that only two other copies of this edition exist. One is in the British Museum, and the other was sold by Mr. Lilly to Mr. Halliwell, afterward Halliwell-Phillips, and is now in the Bodleian Library at Oxford.

The example just sold at Sotheby's is of peculiar interest from the fact that in five places a contemporary autograph of "Wm. Penn" is found. The signature is probably that of the celebrated admiral, the father of the founder of Pennsylvania.

#### BOOKS IN DEMAND IN ENGLAND.

THE best-selling books published in England during June, as ascertained by careful inquiry and comparison by the *London Book Monthly*, are:

The Flute of Pan, by John Oliver Hobbes.  
Maid Margaret of Galloway, by S. R. Crockett.  
Glenanaar, by Canon Sheehan.  
The Friendships of Veronica, by Thomas Cobb.  
Who Giveth This Woman? by William Le Queux.  
Dorothy Tuke, by Edmund Downey.  
Idle Ideas in 1905, by Jerome K. Jerome.  
Heretics, by G. K. Chesterton.

#### PUBLISHERS' TRADE LIST ANNUAL.

PUBLISHERS' catalogues for insertion in this year's volume must reach the bindery of J. F. Tapley Co. not later than July 31 in order to insure insertion at the usual schedule rates.

Catalogues received after July 31 can be inserted only on payment of additional charge of \$10 to cover cost of insertion after gathering and collating.

Publishers intending to furnish catalogues, but who have not yet signified their intention to do so, are asked to send word at once to the office of THE PUBLISHERS' WEEKLY, in order that their names may be included in the index to contributors.

#### COPYRIGHT MATTERS.

##### REPRODUCTION OF MUSIC BY MECHANICAL PROCESSES NOT AN INFRINGEMENT OF COPYRIGHT.

At the United States Circuit Court at Buffalo, N. Y., on June 23, Judge John R. Hazel, in the suit brought by the White Musical Company to restrain the Apollo Company from reproducing copyright music for mechanical purposes, held that records and perforated paper rolls used in the reproduction of musical compositions are not infringements of the composer's copyright.

#### OBITUARY NOTES.

PROFESSOR ARTHUR LATHAM PERRY, a well-known writer on economics, died at Williamstown, Mass., July 9. Professor Perry was born in Lyme, N. H., February 27, 1830. He was educated at Williams College, where he was graduated in 1852. Two years later he was elected professor of history and political economy at Williams, and he held the chair for forty years, resigning at the close of 1893 owing to ill health, caused by overwork. He served as pastor of a church in Williamstown in 1875. Professor Perry was best known as the author of "The Elements of Political Economy," a work of which a score of editions have appeared, and which was considered the scientific exposition of the doctrine of free trade, and also of "An Introduction to Political Economy," "Principles of Political Economy," "Origins in Williamstown" and "Williamstown and Williams College." One of his sons is Bliss Perry, editor of *The Atlantic Monthly*.



## BIBLIOGRAPHIC NOTES.

PER LAMM, (Librairie Nilsson,) Paris, has just brought out the annual catalogue of books published in France during 1904, edited by Daniel Jordell, entitled, "Répertoire bibliographique de la librairie française pour l'année 1904." The volume is made up of the twelve monthly lists published during 1904, arranged by subject catchwords, to which is added an alphabetical index. (164 p. 8°. pr. 50 c.)

JOSEPH BAER & Co., in commemoration of the 120th anniversary of the founding of their firm in Frankfurt-on-the-Main, have issued the first part of a magnificent catalogue of manuscripts and printed books of the Middle Ages and the Renaissance, entitled "Handschriften und Drucke des Mittelalters und der Renaissance." The first part presents the titles of thirty-three rare manuscripts of the 11th to the 16th century, and of 474 books, printed from 1450 to 1500. Among the incunabula is a copy of *Psalterium Bursfeldense*, 1459, the second book printed with a date and the third book brought out by Fust and Schöffer. This copy is priced by the Baers at \$24,000. Among the other famous printers represented are Günther Zainer, Erhard Ratdolt, Johannes de Amerbach, Johann Froben, Ulrich Zell, Anton Koberger, Conrad Sweynheym, Arnold Pannartz, Johannes Mentelin, Johannes Zainer, Nicolaus Jenson, and a number of others equally well known. Forty-eight cities are represented. The titles are given lined, and the annotations are scholarly as well as informing. A number of facsimiles and reproductions of illustrations and an index to printers and publishers are also given. The catalogue is well worth a place in the bibliographical library of the librarian and bookseller. (136 p. 4°.)

## BUSINESS NOTES.

ALVIN, TEX.—S. R. Ashby has sold out his book business.

AUSTIN, TEX.—The Capital City Book Co., it is reported, has gone into involuntary bankruptcy.

BALTIMORE, MD.—Grotjan, Lobe & Co., auctioneers, 224 St. Paul Street, will on the 18th inst. offer for sale at public auction the bankrupt stock of the People's Store, Max A. Levy, proprietor, of Frostburg, Md. The stock will be knocked down to the highest bidder, and in all probability the Bankruptcy Court will approve of the sale providing it amounts to within 75 per cent. of the appraised value of the stock, which aggregates about \$4500.

BIG RAPIDS, MICH.—A. S. Hobart, R. R. Hobart and A. V. Hobart, having bought the entire interest of H. W. Beecher in the stores of the Hobart-Beecher Co. of this city and Traverse City, Mich., they have formed a new partnership under the name of the Hobart Company and will conduct the business of the two stores as usual, assuming all the liabilities of and collecting all accounts due to the old firm.

CHICAGO, ILL.—Mr. Collins, manager of the book department of Carson, Pirie, Scott & Co., has resigned his position. The department is run by H. B. Claflin & Co., who expect to put in a new man before the end of the month.

CHICAGO, ILL.—An involuntary petition in bankruptcy has been filed against the Piser Paris Company, of 150 Fifth Avenue.

DAYTON, O.—W. W. Dodgson, bookseller, has sold out to the Home Circulating Library Company.

DAYTON, O.—John G. Quinius has been appointed superintendent of the bookstore and mail order department of the United Brethren Publishing House, to succeed the Rev. W. G. Clippinger on September 1, when the latter steps into the new place in the faculty of Union Biblical Seminary. Mr. Quinius has held second place in the bookstore for about seven years.

FORT WORTH, TEX.—J. S. Caruthers, bookseller, has been succeeded by Sam Rosen.

JACKSON, MICH.—It is reported that George D. Brown Book Co. is offering 25 cents on the dollar.

KITTANNING, PA.—Madders' bookstore was destroyed by a fire last week.

MONETT, MO.—D. B. Kingrey has opened up a book business here.

NEW YORK CITY.—At the annual meeting of the American Law Book Company, held July 3, the following officers were elected: Charles W. Dumont, president; Homer P. Clark, vice-president; F. E. Wright second vice-president and general counsel; William Mack, secretary, and Henry S. Mott, treasurer.

NEW YORK CITY.—S. F. McLean & Co., 430 Sixth Avenue, are offering their business for sale, the senior member of the firm desiring to give his whole attention to another line of business.

NEW YORK CITY.—The Theatre Magazine Company has been incorporated to print and publish books, magazines, etc. Capital, \$30,000. Incorporators: Louis Meyers, New Rochelle, N. Y.; Paul Meyers, 823 West End Avenue; Henry Stern, 314 West 102d Street, and others, all of this city.

NEW YORK CITY.—Walker & Stonestreet, importers and booksellers, have removed from 116 Nassau Street to No. 52 Broadway.

PUEBLO, COL.—Haines' Book Store, on July 1, removed to the location at 418 N. Main Street, formerly occupied by the Foltz-Hardy Company.

SAGINAW, MICH.—The bookstore of E. E. St. John will hereafter be conducted under the style of the J. E. Andrews Company.

SHELBYVILLE, IND.—Levi Bookwalter, who has been in the book and stationery business here since 1870, has retired and will spend the remainder of his days in rest. Mr. Bookwalter is now sixty-seven years old.

SPRINGFIELD, MASS.—At the annual meeting of the Taber-Prang Art Company, held in Portland, Me., May 27, the directorate of



eleven was cut down to nine. Louis Prang, the founder of the business, and John S. Clark were dropped, their interests being purchased by the Springfield stockholders.

WASHINGTON, D. C.—The Bureau of History and Biography has been incorporated to publish books and magazines. The concern is capitalized at \$5000, and the incorporators are Harry E. Stevens, Irene L. Faust and Lucy S. Bahnsen.

#### LITERARY AND TRADE NOTES.

E. W. HALL, formerly representing Charles Scribner's Sons, will in future represent Mofat, Yard & Co.

THOMAS WHITTAKER will publish immediately "Model of a Motor Car," with a historical sketch and brief description of the working parts, by Hugo Guldner, edited by Theodore E. Schulz. It contains a series of superimposed colored charts, composed of several large and small plates, illustrating all parts of the automobile.

PROFESSOR OTTO HERSCHFELD, the literary executor of the late Theodor Mommsen, has just ready for publication the first volume of the unpublished writings of the historian. It contains sixteen essays on Egyptian and Roman law. Two other volumes will appear, dealing with Roman court procedure, Roman law books, and contributions to the history of Roman law.

JOHN MURRAY, the head of the famous English publishing firm, it is reported, promises to write a book to be entitled "The Calamities of a Publisher, or, Some Authors Diagnosed." Authors diagnosed by a publisher would be a turning of the table, for usually the process goes on the other way about. How necessary the publisher still is we see in the circumstance that while Mr. Murray has not yet written any book, he has edited, or assisted in getting up, some two hundred works.

AN "Account of the Original Bodleian Copy of the First Folio of Shakespeare," by F. Madan, G. M. R. Turbutt, and S. Gibson, is now to be had, including a full description of the volume and its original unrestored binding, and notes on the Droeshout portrait and the true order of the preliminary leaves. There are also seven collotype illustrations. The publication is in style similar to the Clarendon Press facsimile of the First Folio issued in 1902. It can be procured only by application to Mr. Madan at Brasenose College, Oxford, Eng.

HARPER & BROTHERS will publish early in the fall a revised edition of "Harper's Book of Facts." This work was first compiled by a staff of scholars and statisticians under the editorship of Charleton T. Lewis, Ph.D., and published about ten years ago. For the past year or two it has been out of print, and the numerous requests for the volume have rendered a new edition advisable. In its new form, the "Book of Facts" will be a classified encyclopædia of every important event from 4004 B.C. to 1905 A.D.—a record of sixty centuries of progress and knowledge in one volume.

THE DARROW PRINTING COMPANY, Chicago, has printed for Richard Carle, the playwright and actor, a booklet entitled "What I Know About Poker." It appears to be a perfectly honest statement, embracing everything one man has been able to learn who has played the game in earnest for some twenty years. The novice who wishes to sound in advance the depths of human credulity will find the pages dealing with "The Bluff" as instructive as any ever written. A two-cent stamp sent to Mr. Carle at the Studebaker Theatre, Chicago, will bring the little book, "full house" cover and all. It is certainly well worth the price.

DOUBLEDAY, PAGE & COMPANY announce for publication early in September "Paintings of the Louvre," by Dr. Arthur Mahler, a complete handbook of the Italian and Spanish sections of the famous art gallery, sumptuously illustrated. So rich is the Louvre in the masterpieces of Southern Europe that the book is really a history of Italian pictorial art. Dr. Mahler, a well-known authority, follows the works of the Italian painters in the Louvre in historical order—from the early workers in the Byzantine manner to the full glory of Renaissance art. Thorough discussion and ample illustration are given to such varied masters as Fra Angelico and Botticelli, Leonardo and Raphael, Titian and Tintoretto, Veronese and Correggio. The chapter on the Spanish school is, of course, largely devoted to Velasquez and Murillo.

A. S. BARNES & Co. are publishing the third edition of A. Cahan's remarkable novel of revolutionary Russia, "The White Terror and the Red," to which much attention has been directed by the outbreaks in the Black Sea and the revolts in Warsaw, at Kronstadt and elsewhere, the causes of which are so vividly sketched in his dramatic story. They also announce a second edition of "Serena," the first novel of the popular author, Virginia Frazer Boyle; a second edition of "On Tybee Knoll," James B. Connolly's new story recently issued with illustrations by Mrs. Charlotte Weber-Ditzler. They have arranged large Australian editions of "The Wanderers," Henry C. Rowland's successful new novel; "The Sunset Trail," Alfred Henry Lewis's new book of Western fiction; and of George Cary Eggleston's novel, "A Captain in the Ranks."

L. C. PAGE & COMPANY have published "How Christmas Came to the Mulvaney's," a new *Cosy Corner* volume, by Frances Margaret Fox; "Our Little French Cousin," by Blanche McManus; and "Our Little Korean Cousin," by H. Lee M. Pike in the *Little Cousin Series*; and a new edition of the illustrated multi-variorum "Omar Khayyâm," edited by Nathan Haskell Dole. Mr. Dole's edition of the Rubáiyât has been out of print for several seasons, and is reissued in response to a demand for a *de luxe* edition of the famous philosopher. The two volumes are a beautiful specimen of book-making, with rubricated title-pages, and seventeen full-page photogravure illustrations, from original drawings by E. H. Garrett and Gilbert James, and from portraits of Fitzgerald and other eminent scholars and authorities on Omar.



## TERMS OF ADVERTISING.

Under the heading "Books Wanted" book-trade subscribers are given the privilege of a free advertisement for books out of print, of five nonpareil lines exclusive of address, in any issue except special numbers, to an extent not exceeding 100 lines a year. If more than five lines are sent, the excess is at 10 cents a line, and amount should be inclosed. Bids for current books and such as may be easily had from the publishers, and repeated matter, as well as all advertisements from non-subscribers, must be paid for at the rate of 10 cents a line.

Under the heading "Books for Sale," the charge to subscribers and non-subscribers is 10 cents a nonpareil line for each insertion. No deduction for repeated matter.

All other small, undisplaced, advertisements will be charged at the uniform rate of 10 cents a nonpareil line. Eight words may be reckoned to the line.

Parties with whom we have no accounts must pay in advance, otherwise no notice will be taken of their communications.

## BOOKS WANTED.

**In answering, please state edition, condition, and price, including postage or express charges.**

Houses that are willing to deal exclusively on a cash-on-delivery basis will find it to their advantage to put after their firm-name the word [Cash].

**Write your wants plainly and on one side of the sheet only. Illegibly-written "wants" will be considered as not having been received. The "Publishers' Weekly" does not hold itself responsible for errors.**

**It should be understood that the appearance of advertisements in this column, or elsewhere in the "Publishers' Weekly" does not furnish a guarantee of credit. While it is endeavored to safeguard these columns by withdrawing the privilege of their use from advertisers who are not "good pay," booksellers should take the usual precaution, as to advertisers not known to them, that they would take in making sales to any unknown parties.**

A. G., P. O. Box 943, N. Y.

Quest of Mr. East, by John Soane.

Adam, Meldrum & Anderson Co., Buffalo, N. Y.  
Cox's Christian Ballads.

Alden, Bible House, N. Y.

Warner Library, last ed.  
Beacon Lights, last ed.

T. C. Allen & Co., Halifax, N. S. [Cash.]

Allan's Army of Northern Virginia, state date and condition.  
Vine's Physiology of Plants. Pub. Macmillan.

Amer. Bapt. Pub. Soc., 37 S. Pryor St., Atlanta, Ga.  
Campbellism Exposed, by A. P. Williams.  
Atonement, by J. Arnold.

Amer. Bapt. Pub. Soc., 132 E. 23d St., N. Y.  
Boarman's Created Week.  
Finney Lectures on Systematic Theology, state ed.

American Magazine Exchange, 920 Locust St., St. Louis, Mo.

Cooper's Heidenmauer, Townsend ed., Darley plates.  
Secret Symbols of the Rosicrucians, or any other works by Franz Hartman.

American Tract Society, 150 Nassau St., N. Y.  
Thorny Path.  
Fritz's Ranch.  
Nellie's New Home.  
Nuts for Boys to Crack.  
Ruthie's Venture.

All pub. by Am. Tr. Soc.

Ammon & Mackel, Successors to Leggat Bros., 81 Chambers St., N. Y.

Loed's Beacon Lights of History, 15 vols.  
Stoddard's Lectures.  
Robt. Zahner's Transmission of Power by Compressed Air. Van Nostrand Science Series.  
Thermodynamics, by Eddy. Van Nostrand Science Series.  
Willis, Principles of Mechanics.

Antiquarian Book Concern, Americus, Ga.

Land We Love, June, 1867; April, 1868.

Antiquarian Book Concern (Shonfeld's), Omaha, Neb.

Forestier, Echoes from Mistland.  
Nimmo's edition of the Dramatists, 1 vol. 8vo.  
Nice copy of the Rubaiyat.  
Stoddard's Lectures.  
Spiritual Diary of Swedenborg.

Antiquarian Book Store, 43 E. Van Buren St., Chicago, Ill.

Philistine, vols. 1 to 5, parts or bound.  
Larned, Histy. of Ready Reference, vol. 3, or complete set in cloth.  
Gems of Thought, by R. Ingersoll.

H. Carey Baird & Co., 810 Walnut St., Phila., Pa.  
Craik, Practical Millwright and Miller. Philadelphia, 1882.

Leffel, Construction of Mill Dams.  
Brannet, Soap and Candles. Philadelphia, 1888.  
Davis, Manufacture of Brick, Tiles and Terra Cotta, 3d edition. Philadelphia, 1895.

Wm. Ballantyne & Sons, 428 7th St., Washington, D. C.

Malchon, The Sexual Life. The Burton Co.

Baptist Book Store, 113 Fayetteville St., Raleigh, N. C.

Woody Plants of N. C.  
Jones, Memorial of N. C.  
Caruthers, No. C. History.  
Record of the War of the Rebellion.

H. C. Barnhart, 49 W. Market St., York, Pa. [Cash.]

Recollections and Last Days of Poe, by Dr. J. J. Moran. Washington, D. C. 1885.  
Life and Poems of Edgar Allan Poe. Memoir by Didier. Armstrong.  
Poems Sarah Helen Whitman, second edition.

Geo. M. Beckwith, 413 Lakeside Bldg., Chicago, Ill.  
Stene's First Editions.  
Poley's First Editions.  
Stead's If Christ Came to Chicago.

Beecher & Kymer, Kalamazoo, Mich.  
Festis Sophia, by Mead.

The Bobbs-Merrill Co., Indianapolis.

Eaton's Andrew Jackson.  
N. P. Willis, Fun Jottings.

The Book Shop, 65 Spring St., Rochester, N. Y. [Cash.]

Tisserand, Mecanique Celeste, 4 vols., 4to.  
Bahnbestimmung, by Oppolzer, 2 vols., edition of 1872.

Book Shop (A. J. Wilcox), Scranton, Pa. [Cash.]  
Chapman's Hist. of Wyoming.  
Peck's Hist. of Wyoming.  
Crew's Hist. of Scranton.  
Pearce's Annals of Luzerne County.  
Legal Periodicals of Interior Penna., nos. or vols.  
Kulp's Families of Wyoming Valley, vol. 3.  
Pamphlets and other historical data relating to North-eastern Pa.

Estate of J. W. Bouton, 10 W. 28th St., N. Y.

Genealogy of the Hunter Family of Virginia.  
Veresajeff, Confessions of a Physician.  
Gillette, Descendants of Jonathan Gillet. Boston, 1893.  
Sparks, Library of American Biography, first series.  
Payley, House of D'Oyley. 1845.

Box 108, Station W., Brooklyn, N. Y.

Annals of Surgery, vol. 10, nos. 1, 2, 3, 5, 6; vol. 11, nos. 12, 15, complete; vol. 16, nos. 2, 5, 6; vol. 17, nos. 1, 5; vol. 25, no. 4; vol. 29, nos. 1-5; vol. 30, no. 6; vol. 31, no. 1; vol. 38, no. 3; vol. 40, nos. 1, 2, 5, 6.

S. B. Bradt, 155 Washington St., Chicago, Ill.  
Set of Appleton's Scientific Library.

Brentano's, Union Sq., N. Y.

Lacroix's Life in Middle Ages and Renaissance.  
Selden's Last Days of Heine.  
Twain's Huck Finn. II. 4to. ed.  
Greener's Breechloader.  
Greener's Gun and Its Development.  
Symons' Introd. to Study of Browning.



## BOOKS WANTED.—Continued.

- Brentano's, 1228 F St., N. W., Washington, D. C.  
 T. B. Hall on Infringement of Patents. R. Clark.  
 Ford's Writings of Washington. Putnam.  
 Valera's Pepita Ximinez, Eng. trans.  
 Maya's Considercious Militares sobre la Compame de Cuba.  
 Wright's Republic of Chili.  
 2 Gray's Atlas of Illinois. 1873.  
 2 Stuart's Atlas Maine. 1890.  
 2 Atlas of Nebraska. 1885.  
 2 Atlas Tennessee. Gray, 1873.  
 2 Atlas Vermont. 1876.  
 Roger's Geology of the Virginias. App.  
 Schoefield's Steam Road Transport in So. Africa.  
 Adam's Mechanical and Electrical Inventions, 2 vols.  
 Gottechalk's Static Electricity, X-Rays, etc.  
 Greer's Practical Carder.  
 Kennedy's Practical Cotton Spinner, 2d ed. Simpkins.  
 Scoville's Extracts and Perfumes.  
 Last 5 vols. Modern Eloquence.  
 Leggett's Bills of Lading.  
 J. R. Robinson's The Octopus.  
 J. L. Stewart's Government Ownership.  
 Balch's French in America. Coates.  
 Lesley's Manual of Coal.  
 Basset's Treatise of Hydrodynamics. Mac.  
 N. Y. Evening World, May 31; June 1, 1905.  
 Black on Constitutional Prohibitions. L. B. & Co.  
 French's Cavalry in Modern War.  
 Guide to Meat Inspection.  
 Signalling Regulations 1898, Official, English.  
**The Brown, Eager & Hull Co., 411 Summit St., Toledo, O.**  
 Horse Portraiture, by J. C. Simpson.  
**The Burrows Bros. Co., 133 Euclid Ave., Cleveland, O.**  
 Country Life, Nov., 1901; Nov., 1903.  
**W. A. Butterfield, 59 Bromfield St., Boston, Mass.**  
 Love Among the Artists, B. Shaw.  
 Ethical Studies, F. H. Bradley.  
 Principles of Logic, F. H. Bradley.  
 Froissart's Chronicles.  
 Genealogy of the Newcomb Family.  
 Scott's Works, Cadell edition.  
 Vol. 2 Irving's Washington, National edit.  
 Asia and Europe, Townsend.  
**J. W. Cadby, 66 Hamilton St., Albany, N. Y.**  
 Brownson's Quarterly Review, 1859-1872.  
 Carey's American Museum, Vol. 10, 1791.  
 Democratic Review, 1850, March, May.  
 Southern Review (Charleston), nos. 9, 11, 12, 15, 16.  
 Cosmopolitan Magazine, 1888, Dec.  
 St. Nicholas, 1890, Aug.; 1892, Sept.; 1893, Sept.; 1898, Feb.  
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 National Museum Annual Reports, 1879, 2 parts; 1898.  
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 Merrill, Geology of Long Island. 1884.  
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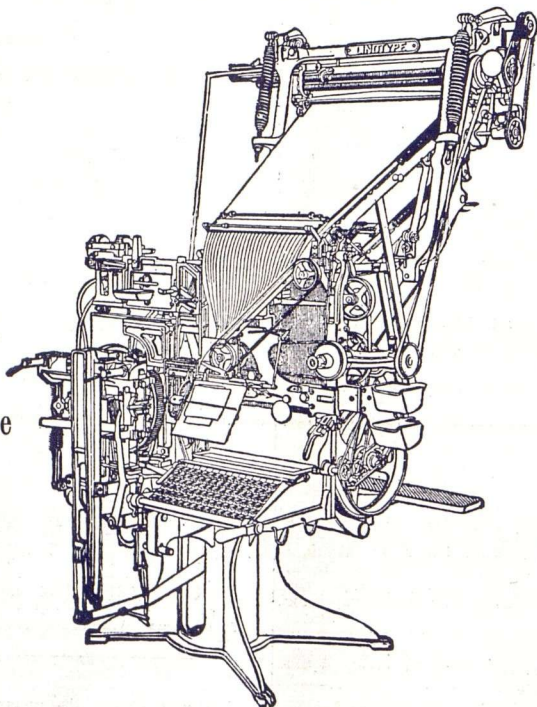
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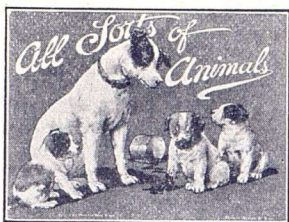
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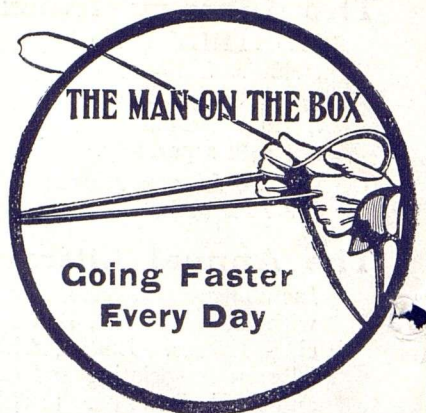
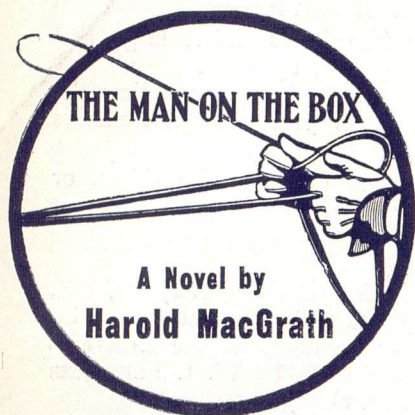
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